

Emmett E. Lee Loy 5689
758 Kapahulu Ave., #429
Honolulu, Hawaii 96816
Tel. No. (808) 922-0455

Attorney for Defendant
JOSE DIAZ

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 05-00190-01 JMS
)	CR. NO. 06-00406 JMS
Plaintiff,)	
)	ORDER GRANTING IN PART,
vs.)	AND DENYING IN PART,
)	EMMETT E. LEE LOY'S
JOSE DIAZ, (01))	MOTION TO WITHDRAW AS
)	PRIVATELY RETAINED
Defendant.)	COUNSEL AND TO BE
)	APPOINTED AS CJA COUNSEL

ORDER GRANTING IN PART, AND DENYING IN PART, EMMETT E. LEE LOY'S MOTION TO WITHDRAW AS PRIVATELY-RETAINED COUNSEL AND TO BE APPOINTED AS CJA COUNSEL

Counsel EMMETT E. LEE LOY'S Motion to Withdraw as Privately-Retained Counsel and to be Appointed CJA Counsel was heard by the Federal Magistrate Judge, The Honorable Kevin B.C. Chang, at 2:00 p.m., on Tuesday, March 11, 2008. Emmett E. Lee Loy, Attorney at Law, appeared as the movant on behalf of Defendant JOSE DIAZ, who was also present, together with his interpreter, Mr. Miguel Saibene. Mr. Thomas C. Muehleck, Assistant United States Attorney, standing in for Mr. Chris Thomas, Assistant United States Attorney, appeared on behalf of the United States.

The Court, having considered the written and oral

submissions on the motion and finding good cause shown, hereby **GRANTS** in part, EMMETT E. LEE LOY'S Motion to Withdraw as Privately-Retained Counsel and **DENIES** that part of Emmett E. Lee Loy's Motion to be appointed as CJA counsel for Defendant JOSE DIAZ.

New Counsel for Defendant JOSE DIAZ shall be appointed from the CJA Panel.

As Emmett E. Lee Loy will be out of town from March 12, 2008, to March 27, 2008, Emmett E. Lee Loy is to make arrangements immediately following hearing of his Motion of March 11, 2008, for Defendant JOSE DIAZ' case file to be picked-up by the new CJA counsel at Mail Boxes Etc., 758 Kapahulu Avenue, Honolulu, Hawaii, 96816, Telephone number 733-7800.

Dated: Honolulu, Hawaii, March 12, 2008.




Kevin S.C. Chang
United States Magistrate Judge